

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 04-12126 EFH

WILLIAM FOLEY,
Plaintiff,

v.

ALCATEL USA, INC.,
Defendant,

**PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO FILE OPPOSITIONS
TO DEFENDANT'S CROSS MOTION FOR A PROTECTIVE ORDER AND
MOTION FOR SUMMARY JUDGMENT**

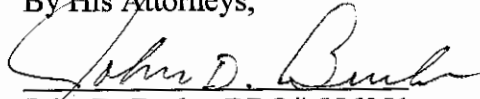
Now comes the Plaintiff, William Foley, and respectfully requests that the Court allow him to and including October 12, 2005, to file his opposition to the Defendant's Cross Motion for a Protective Order and an Opposition to the Defendant's Motion for Summary Judgment. As grounds for its request for an extension, the Plaintiff states that:

1. Due to the present work schedule of Counsel for the Plaintiff, John D. Burke, he will not be preparing the Plaintiff's Opposition to the Cross Motion and Motion for Summary Judgment. As a result, Gabriel O. Dumont, Jr., Esq., who has appeared in the case, will be preparing oppositions. Gabriel O. Dumont, Jr., however, will be out of the State from September 25, 2005 to return on October 3, 2005.

2. As a result, the Plaintiff requests the additional time to prepare his opposition to the two (2) motions.

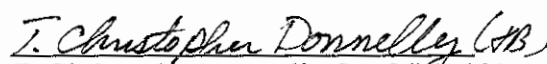
3. The Defendant, by its attorney, T. Christopher Donnelly, has assented to this motion.

For the Plaintiff,
WILLIAM FOLEY,
By His Attorneys,



John D. Burke, BBO# 556951
Gabriel O. Dumont, Jr., BBO# 137820
Dumont, Morris And Burke, PC
14 Beacon Street
Suite 300
Boston, Massachusetts 02108
(617) 227-7272

For the Defendant,
ALCATEL USA, INC.
By Its Attorneys,



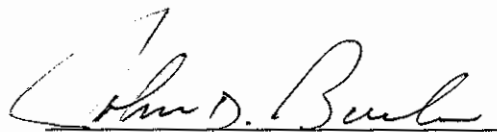
T. Christopher Donnelly, BBO# 129930
Donnelly, Conroy & Gelhaar, LLP
One Beacon Street
Boston, Massachusetts 02108
(617) 720-2880

Sharan Leslie Goolsby
Counsel to Alcatel USA, Inc.

CERTIFICATE OF SERVICE

I, John D. Burke, hereby certify that I served this document upon counsel for the Defendant, T. Christopher Donnelly, Esq., and Sharan Goolsby, Esq., by U.S. Mail, postage prepaid, on this 26th day of September, 2005.

Signed under oath.



John D. Burke